

## AFFIDAVIT OF NON-PRODUCTION AND NON-PAYMENT

STATE OF WEST VIRGINIA  
COUNTY OF MARSHALL

BEFORE ME, the undersigned authority, on this day personally appeared, Vicki L. Bowen, (Affiant) who, being by me duly sworn, made the following statements and swore that they were true:

My name is Vicki L. Bowen, and I reside at Rd 2 Box 83-A, Proctor, WV 26055.

I am of sound mind and capable of making this affidavit. I am personally acquainted with the facts here-in stated concerning the property identified as:

*60.3 acres, more or less, located in Franklin District, Marshall County, West Virginia, and being more particularly described in that certain deed dated September 13, 1996, by and between Ernest E. Allen and Donna V. Allen, his wife, as parties of the first part, and Vicki L. Bowen, as party of the second part, recorded in book/volume 592, page 563, of the official records of Marshall County, West Virginia. (Lands are further identified to contain all or a portion of Tax Map 17, Parcel 9.4.)*

Said property has not had any oil, gas or other mineral production, nor has there been any activity to explore for, locate, extract or otherwise produce any oil, gas or other minerals on said property or on any other lands adjacent to the property which may have been pooled or unitized with the property since 9-13-1996, the date I first became familiar with said property.

Furthermore, there have been no payments on these lands made as a result of any oil or natural gas production since 9-13-1996, the date I first became familiar with the property.

## Affiant


  
Vicki L. Bowen

Date: 4/14/2011

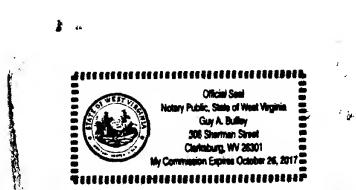
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MARSHALL County 11:01:12 AM  
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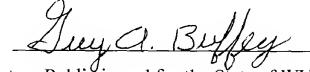
STATE OF West Virginia  
COUNTY OF Harrison, to-wit:

Affiant, being first duly sworn, state that the facts and allegations contained in the foregoing Affidavit of Non-Production and Non-Payment are true, based upon the information and belief that affiant believes them to be true.

Taken, sworn to and subscribed before me this 14 day of April, 2011.

(NOTARIAL SEAL)



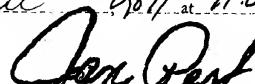
  
Guy A. Buffey  
Notary Public in and for the State of WV

My Commission Expires: 10-26-17

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## STATE OF WEST VIRGINIA, MARSHALL COUNTY, SCT.:

I, JAN PEST, Clerk of the County Commission of said County, do hereby certify that the annexed writing, bearing date on the 14th day of April, 2011, was presented for and by me, admitted to record in my office upon the above certificate as to the parties therein named this 26th day of April, 2011 at 11:01 o'clock A.M.

  
TESTE:  
Jan Pest  
Clerk.